

LEROY PEEPLES

Q Have you ever heard of anyone being fired at gunpoint?

MR. BAKEN: Objection. Hearsay.

A No.

Q Are you aware that Ousmane Sam was charged with statutory rape?

MR. BAKEN: Objection. Relevance.

A No.

Q You never heard that he was charged with statutory rape?

MR. BAKEN: Objection. Hearsay.

A No.

Q Did you ever hear there was an incident on the AND 1 Mixed Tape during the summer of 2004 by Mr. Sam?

MR. BAKEN: Objection. Hearsay.

Form.

A Did I hear about it?

Q Yes.

A Yes.

Q What did you hear?

MR. BAKEN: Objection.

A That he was questioned about an alleged assault and then released when they

LEROY PEEPLES

found out that it wasn't him. So I did hear that.

Q Do you know who was assaulted?

A No.

Q Do you know whether it was someone who was under 18?

A No, I don't.

Q Do you know whether it was a woman?

A Allegedly.

Q Do you know whether there was a rape allegation made?

A Not against him. I know that he wasn't charged with anything.

Q Did you ever discuss this with Michelle Joyce?

A I might have. I don't recall exactly what we said word for word, but it is very possible that I could have told her what happened.

Q Tell me what you do recall discussing with her.

A Honestly, nothing. I just know it's a possibility that I probably told her that Ousmane got questioned. But I am not sure

LEROY PEEPLES

exactly what I said to her.

Q Did anyone ever express concern to you about working with Mr. Sam after this incident?

MR. BAKEN: Objection. Hearsay.

A No, because he was cleared right there at the incident. He was cleared on the spot. He was just questioned. He never was charged. He never was arrested. He never went through none of that. He got questioned.

Q Do you know who he got questioned by?

A The police department.

Q Do you know what city they were in?

A I don't remember.

Q But it wasn't in New York?

A It wasn't in New York.

Q Where did the AND 1 Mixed Tape tour go in summer of 2004?

A It went to 25 markets.

Q Across the country?

A Across the country.

Q And you don't recall which one of those markets this incident happened in?

LEROY PEEPLES

A I don't know the exact dates that he left, but probably a year ago.

Q Why did he leave?

A I'm not sure. I know he always had his own magazine. So maybe he went to go run F.E.D.S.

Q Do you have any personal knowledge of the circumstances under which he left The Source?

A No.

Q Have you ever been arrested?

MR. BAKEN: Objection.

MS. DONOVAN: Objection. That's not admissible -- it's not designed to lead to the discovery of reasonably admissible evidence.

I know I didn't say that right. I'm tired.

It's not relevant, and it's not admissible -- it's not designed to lead to the discovery of admissible evidence. It's completely irrelevant.

And I'll direct you not to answer that.

LEROY PEEPLES

(Directive to witness.)

MS. le ROUX: On the basis of the objection you just gave?

MS. DONOVAN: Correct.

MR. BAKEN: I would add it's not calculated to lead to the discovery of admissible evidence.

MS. DONOVAN: I thought that's what I said.

MR. BAKEN: Close.

Q Have you ever been convicted of a crime?

MS. DONOVAN: Do you mean within the last ten years? Because the only admissibility of convictions are those that have occurred within the last ten years.

Q Let's start within the last ten years, have you ever been convicted of any crime?

A No.

Q Have you ever been incarcerated?

MS. DONOVAN: Objection. That's not relevant either.

MR. BAKEN: Objection.

MS. DONOVAN: It doesn't mean

LEROY PEEPLES

anything. It's not a conviction. So it's
admissible. Just like arrests.

Direct you not to answer that.

(Directive to witness.)

MS. le ROUX: I'm not sure if I asked
this already.

You testified this morning about the
civil lawsuit that was filed by
Gregory Palmer.

Yes.

Have you provided any sworn testimony
in that case?

No.

What is the status of that case?

MS. DONOVAN: Objection. Relevance.

MR. BAKEN: Objection. Relevance.

You can answer.

I'm not sure I can answer that because
I have a different attorney on that, and I
was told not to talk about that yet.

Okay.

Is Mr. Childs named as a co-defendant
in that lawsuit?

Yes.

answering his cell phone, not answering his pages to me and then there was a specific incident with Ousman on the road where he had apparently been arrested for rape and I had concerns about it because nobody had told me about it. I heard about it through somebody else that was out on a tour and that I had concerns about him specifically coming back to the office and working because there were a lot of women at the office and that I felt that we needed to get to the bottom of it.

Q When was he arrested for rape?

A It was the summer of 2004. It may have been late June, early July and it happened on the west coast leg of the tour.

Q What ever happened to the charges, if you know?

A I don't know.

Q Did he return to The Source?

A He did.

Q How long did he work at The Source after that?

A His position was terminated in 2004. I can't say if it was the late summer or